

IN RE: PETITION FOR ZONING VARIANCE  
E/S Vincent Avenue, 360' S  
of Old Eastern Avenue  
(9 Vincent Avenue)  
15th Election District  
5th Councilmanic District  
Robert M. Gilroy  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 88-458-A

#### AMENDED ORDER

WHEREAS, by Order dated May 26, 1988, the Petitioner was permitted an accessory structure (garage) height of 20 feet in lieu of the maximum permitted height of 15 feet, subject to restrictions;

WHEREAS, within Restriction No. 3 of said Order the Petitioner was denied permission to allow any retail and/or woodworking sales to take place upon the premises, and no car repairs were to be performed on the property;

WHEREAS, it was the intention of the Zoning Commissioner to disallow car repairs to any vehicles other than those owned by the Petitioner;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of June, 1988 that Restriction No. 3 of the Order dated May 26, 1988 be and is hereby amended to read as follows:

"3) No retail and/or woodworking sales shall be permitted to take place upon the premises. There shall be no retail car repair work performed upon the premises. The Petitioner shall make no car repairs to any vehicles other than those owned by the Petitioner;" and,

IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated May 26, 1988 shall remain in full force and effect.

JRH:bjs  
cc: Alfred L. Brennan, Esquire  
825 Eastern Boulevard, Baltimore, Md. 21221

People's Counsel  
File

IN RE: PETITION FOR ZONING VARIANCE  
E/S Vincent Avenue, 360' S  
of Old Eastern Avenue  
(9 Vincent Avenue)  
15th Election District  
5th Councilmanic District  
Robert M. Gilroy  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 88-458-A

#### MEMORANDUM AND ORDER

The Petitioner herein requests a variance to permit an accessory structure (garage) height of 20 feet in lieu of the maximum permitted height of 15 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared, testified, and was represented by Counsel, Alfred L. Brennan, Jr., Esquire. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of May, 1988 that an accessory structure (garage) height of 20 feet in lieu of the maximum permitted height of 15 feet, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall not allow or cause the accessory structure (garage) to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen facilities.

3) No retail and/or woodworking sales shall be permitted to take place upon the premises, and no car repairs shall be performed on the property.

JRH:bjs

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING  
Date 5/18/88  
By [Signature]

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th  
Posted for: Variance  
Petitioner: Robert M. Gilroy  
Location of property: E/S Vincent Ave., 360' S of Old Eastern Ave.  
Location of Sign: 9 Vincent Ave.  
Remarks: [Signature]  
Posted by: [Signature]  
Number of Signs: 1

#### CERTIFICATE OF PUBLICATION

Office of  
THE AVENUE NEWS

442 Eastern Blvd.  
Balto., Md. 21221

THIS IS TO CERTIFY, that the annexed advertisement of  
FOR ZONING VARIANCE CASE NUMBER 88-458-A ES  
VINCENT AVE. 360' S OLD EASTERN AVE. (9 VINCEN  
AVE) 15th E.D. 5th COUNCILMANIC DISTRICT  
PETITIONERS ROBERT M. GILROY HEARING SCHEDULED  
WED. MAY 18, 1988 at 2:00pm  
77 lines at \$ 42.35

was inserted in The Avenue News a weekly newspaper  
published in Baltimore County, Maryland once a week for one  
successive week(s) before the 29th day of April 28, 1988;  
that is to say, the same was inserted in the issues of 19

The Avenue Inc.

per publisher

By [Signature]

Notice of Hearing  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, in Towson, Maryland, on the following date and time:  
Date: May 18, 1988 at 2:00 p.m.  
Time: 2:00 p.m.  
Case Number: 88-458-A  
Petitioner: Robert M. Gilroy  
Hearing Date: Wednesday, May 18, 1988 at 2:00 p.m.  
Variance to allow an accessory structure height of 20 feet in lieu of the permitted (maximum) 15 feet.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will request for a stay of the issuance of said permit during the appeal period. Such request must be in writing and received by the Zoning Commissioner on or before the date of the hearing set above or presented at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

Phone: 687-6922

FRANK S. LEE  
Registered Land Surveyor

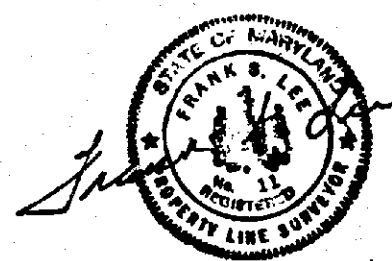
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

February 11, 1988

No. 9 Vincent Avenue  
15th District Baltimore County, Maryland

Beginning for the same on the east side of Vincent Avenue at the distance of 360 feet measured southerly along the east side of Vincent Avenue from the south side of Old Eastern Avenue, thence running and binding on the east side of Vincent Avenue South 6 degrees 14 minutes East 50 feet, thence leaving Vincent Avenue for five lies of division as follows: North 83 degrees 46 minutes East 125 feet, South 6 degrees 14 minutes East 50 feet, North 83 degrees 46 minutes East 75 feet, North 6 degrees 14 minutes West 100 feet and South 83 degrees 46 minutes West 200 feet to the place of beginning.

Containing 0.32 acres of land more or less.



RE: PETITION FOR VARIANCE  
E/S Vincent Ave., 360' S Old  
Eastern Ave. (9 Vincent Ave.)  
15th Election District  
5th Councilmanic District  
ROBERT M. GILROY, Petitioner : Case No. 88-458-A

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing date or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 12th day of April, 1988, a copy of the foregoing Entry of Appearance was mailed to Alfred L. Brennan, Jr., Esquire, 825 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioner.

Peter Max Zimmerman  
Peter Max Zimmerman

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-458-A  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 To allow an accessory structure height of 20 feet in lieu of the permitted (maximum) 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

fifteen (15) feet would not provide enough room to park a truck and provide overhead storage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner: ALFRED L. BRENNAN, JR.  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.: 687-3434

Legal Owner(s): (Type or Print Name)  
Signature  
ROBERT M. GILROY  
(Type or Print Name)  
Signature  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
ALFRED L. BRENNAN, JR.  
Name  
825 Eastern Boulevard  
Baltimore, Maryland 21221  
City and State  
Address Balto., Md. 21221 Phone No.

NAME NEZ  
48  
E.D. 15th  
DATE 4/10/88  
200 BF  
1000 BF  
DP  
N-5,535  
E-44,245

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 47588  
DATE 2-23-88 ACCOUNT R-01-615-000  
AMOUNT \$ 35.00  
RECEIVED FROM: Brennan & Brennan  
FOR: Zoning Fee, Residential Variance  
B 8817\*\*\*\*\*350000 72258  
VALIDATION OR SIGNATURE OF CASHIER

19.88, at 2 o'clock  
r of this petition be advertised, as  
pers of general circulation through-  
he hearing be had before the Zoning  
ce Building in Towson, Baltimore  
Robert Haines  
Commissioner of Baltimore County.

#### "DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. April 28, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., appearing on  
April 28, 1988

THE JEFFERSONIAN,

Brian Steudt  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, in Towson, Maryland, on the following date and time:  
Date: May 18, 1988 at 2:00 p.m.  
Time: 2:00 p.m.  
Case Number: 88-458-A  
Petitioner: Robert M. Gilroy  
Hearing Date: Wednesday, May 18, 1988 at 2:00 p.m.  
Variance to allow an accessory structure height of 20 feet in lieu of the permitted (maximum) 15 feet.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will request for a stay of the issuance of said permit during the appeal period. Such request must be in writing and received by the Zoning Commissioner on or before the date of the hearing set above or presented at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
4012 Apr 28

# 33.75



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 5/3/88



Dennis F. Rasmussen  
County Executive

Mr. Robert M. Gilroy  
9 Vincent Avenue  
Baltimore, Maryland 21221

Re: Petition for Zoning Variance  
Case Number: 88-458-A  
E/S Vincent Avenue, 360' S Old Eastern Avenue  
(9 Vincent Avenue)  
15th Election District - 5th Councilmanic District  
Petitioner(s): Robert M. Gilroy  
HEARING SCHEDULED: WEDNESDAY, MAY 10, 1988 at 2:00 p.m.

Dear Mr. Gilroy:

Please be advised that \$91.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:gs

cc: Alfred L. Brennan, Jr., Esq.  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

March 21, 1988



Dennis F. Rasmussen  
County Executive

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

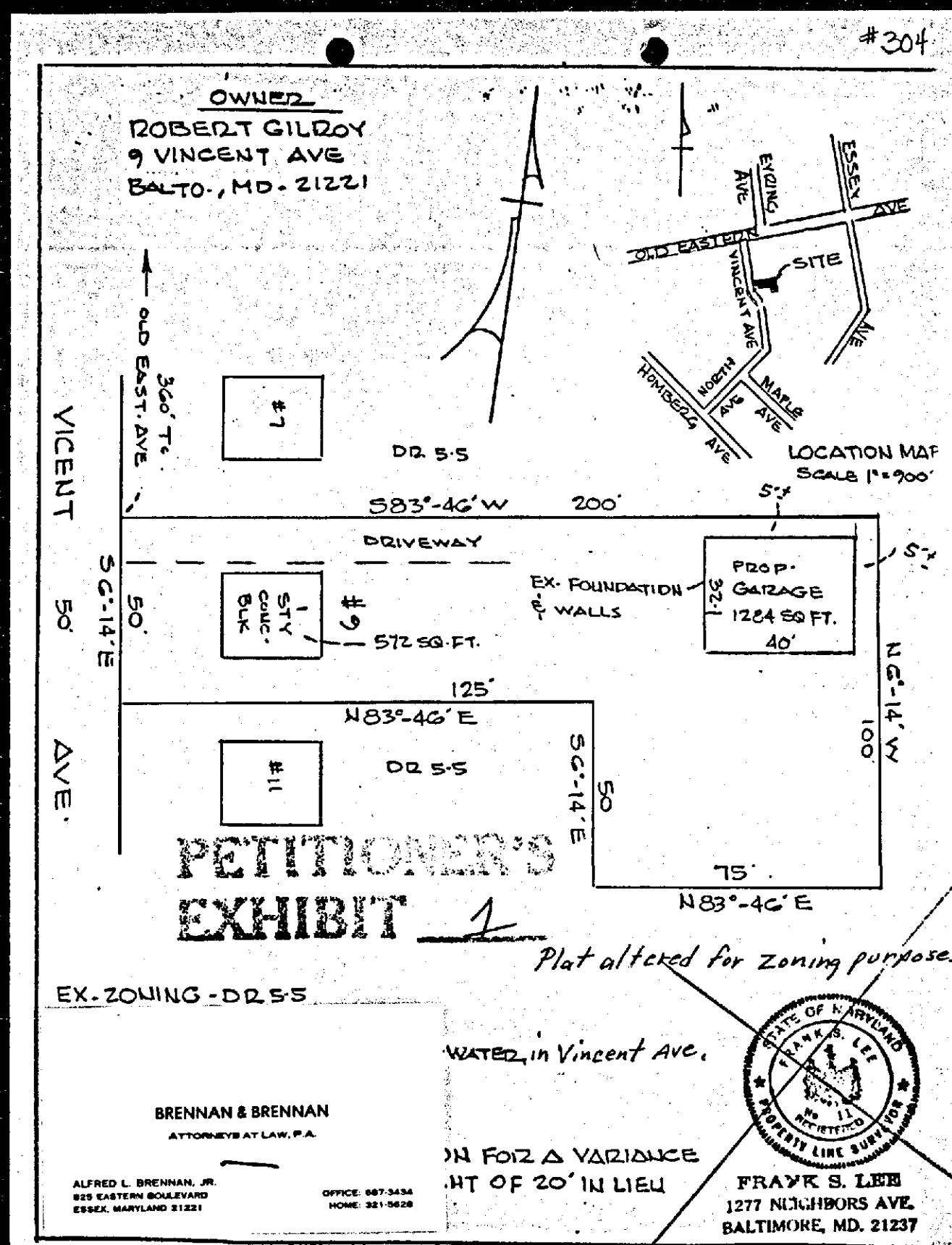
Petition for Zoning Variance  
Case Number: 88-458-A  
E/S Vincent Avenue, 360' S Old Eastern Avenue  
(9 Vincent Avenue)  
15th Election District - 5th Councilmanic District  
Petitioner(s): Robert M. Gilroy  
HEARING SCHEDULED: WEDNESDAY, MAY 10, 1988 at 2:00 p.m.

Variance to allow an accessory structure height of 20 feet in lieu of the permitted (maximum) 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Robert M. Gilroy  
Alfred L. Brennan, Jr., Esq.  
File



88-458-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 9th day of March, 1988.

J. Robert Haines  
ZONING COMMISSIONER

Petitioner Robert M. Gilroy  
Petitioner's Attorney Alfred L. Brennan  
Received by: James E. Dyer, Chairman, Zoning Plans Advisory Committee

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner Date: April 13, 1988

FROM: P. David Fields  
Director of Planning and Zoning  
Zoning Petition Nos. 88-443-A,  
88-447-A, 88-449-A, 88-450-A,  
SUBJECT: 88-458-A, 88-459-A, 88-461-A, 88-463-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields  
Director

PDF:JCH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

RECEIVED  
APR 15 1988  
ZONING OFFICE

cc: Alfred L. Brennan, Jr., Esq.  
4/14/88

### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc:

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Alfred L. Brennan, Jr., Esquire  
825 Eastern Boulevard  
Baltimore, Maryland 21221

RE: Item No. 304 - Case No. 88-458-A  
Petitioner: Robert M. Gilroy  
Petition for Zoning Variance

Dear Mr. Brennan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

March 10, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

Re: Property Owner: Robert M. Gilroy

Location: E/S Vincent Avenue, 360' S/Old Eastern Avenue

Item No.: 304 Zoning Agenda: Meeting of 3/8/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: C. H. Kelly 3-12-88 Noted and Approved: John F. O'Neill  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

May 26, 1988

Alfred L. Brennan, Jr., Esquire  
825 Eastern Boulevard  
Baltimore, Maryland 21221

RE: Petition for Zoning Variance  
E/S Vincent Avenue, 360' S of Old Eastern Avenue  
(9 Vincent Avenue)  
15th Election District, 5th Councilmanic District  
Case No. 88-458-A

Dear Mr. Brennan:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

J. ROBERT HAINES  
Zoning Commissioner  
of Baltimore County

JRH:bjs

Enclosures

cc: People's Counsel

File